

MINUTES OF THE SECOND REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, SEPTEMBER 27, 2017

I. CALL TO ORDER

- Mayor Miller called the meeting to order at 6:00PM. Council members in attendance: West, Miller, Baker, Rotwein. *Ladwig was absent.*
- City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams.

II. PLEDGE OF ALLEGIANCE

III. ADJOURN TO CLOSED SESSION – *No closed session.*

IV. RECONVENE TO OPEN SESSION & CLOSED SESSION REPORT – *No closed session.*

V. APPROVAL OF AGENDA

- *Letter on the consent agenda to County regarding cannabis was pulled for discussion.*
 - *Moved Lighthouse discussion to first on the agenda.*
 - *Moved Proclamation to first item of business before discussion agenda.*
- Motion (Rotwein/Baker) to approve the agenda as amended. **Passed 4-0.***

VI. APPROVAL OF MINUTES – *No minutes to approve.*

VII. COUNCIL REPORTS - *Deferred to the October 11 regular meeting.*

City Manager Berman highlighted various staff activities; Take-out Pizza business behind Beachcomber at 363 Trinity. CalFire con-crew has been working on Trinidad Head to improve vistas and trail width.

VII b. PROCLAMATIONS/RECOGNITIONS

1. Recognizing Sandra Cuthbertson's Service to the City.
 2. Honoring September and October 2017 as Walk to End Alzheimer's National Months.
- Mayor Pro-Tem Rotwein read a proclamation recognizing the service and dedication of Sandra Cuthbertson to the City. Husband Jim Cuthbertson accepted the proclamation on her behalf. Mayor Miller read Alzheimer proclamation, accepted by representative from the Walk to End Alzheimer's organization.

*Motion (Rotwein/West) to approve the proclamations. **Passed 4-0.***

VIII. ITEMS FROM THE FLOOR

Tom Marquette – Trinidad VFD Chief

Thanked Council and Staff for assistance in completing the Fire Building Extension project. Welcomed the community to see the improvements anytime.

Jim Cuthbertson – Trinidad

I gave the City Manager a copy of a letter from Bob Hallmark signed by the Rancheria Chairman promising trust status would not be applied for. Bob sold the property to the Rancheria in the late 1990's. You should have copies of this letter, and I'm disappointed if you don't.

Moved to Discussion item #1 regarding Memorial Lighthouse Update...

IX. CONSENT AGENDA

1. Comment Letter to County Regarding Cannabis Regulation

City Manager Berman explained that at the September 13 meeting, the Council directed him to work with Mayor Pro-Tem Rotwein to draft the letter from the City to the County regarding a buffer zone that prohibits commercial activity and have it available for review and approval by the next meeting. Rotwein read the letter aloud in its entirety, and suggested some edits.

Public comment included:

Shirley Laos – Trinidad Rancheria

Reminded the Council that the cannabis is illegal on Tribal land due to Federal status.

Vicki Farmer & Patti Fleschner – Trinidad
Supports the letter as written.

*Motion (Rotwein/Baker) to support the letter as amended and direct the City Manager to send it on behalf of the City. **Passed 4-0.** Moved to agenda item #1, Cannabis Ordinance...*

X. DISCUSSION/ACTION AGENDA:

1. Consideration of Planning Commission Appointments

City Manager Berman explained that the Planning Commission currently has 2 empty seats, and another occupied by Natasha Braziel who has recently moved outside the greater Trinidad Area and is therefore ineligible to continue serving. The City has been advertising vacancies on the Commission. Two community members have expressed an interest in serving; Brett Gregory lives inside the City limits and will fill the seat left vacant by ex-commissioner John Hedricks. The other applicant, John Graves, resides outside the city limits but within the Trinidad Area so he can replace Braziel.

If they are appointed, there will be one seat left to fill that was left vacant by Laura Scott who resigned after just over one year of service.

Public comment included:

Brett Gregory – Trinidad, PC applicant

Introduced himself as a Trinidad resident, business owner (Salty's), and Trinidad Volunteer Fireman. Goals for the appointment would be to help the City make good decisions, and contribute his energy, decisiveness, and background in the fishing industry as a voice on the commission.

John Garland-Graves – Trinidad Area resident, PC applicant

Served 16 years on the City of Arcata's Planning Commission. Worked on the General Plan Update and decades of policy-making experience. Desires to help the city of Trinidad in a role he's very familiar with.

*Motion (Rotwein/West) to approve the appointments of Brett Gregory and John Garland-Graves to the Trinidad Planning Commission. **Passed 4-0.***

2. Discussion/Decision regarding Town Hall ADA Improvements

City Manager Berman explained that this item is a follow up from previous discussions that authorized him to seek qualified contractors to assist with the various projects identified by the City as priorities for ADA improvements at the Town Hall. There will be an electrical contractor meeting with the Public Works Director this week to discuss the push-button opening of the Town Hall exterior door, and Staff is also working with City Engineer's at GHD looking at options to create a legitimate parking place outside the facility.

There was no Council or Public Comments.

Update item only. No decision was made. Moved to Consent Item #1, Cannabis Letter to County...

3. Discussion/Decision regarding Draft Cannabis Ordinance revisions

City Manager Berman explained that this item builds on the September 13 meeting input received by the Council and public regarding the first draft of the Ordinance. The tentative timeline for approval is to have a first reading on October 11, followed by a second reading on October 28 (or November 08). This will enable the City to meet the State deadline to have regulations in place before the beginning of 2018.

Berman noted that the new draft before the Council is modeled after the City of Blue Lake's recently adopted ordinance. Fortuna's has also been consulted as a second example.

Public comment included:

Elaine Weinreb – Trinidad Area Resident

Two comments; 1) Fees should be defined, and 2) What is the difference between fertilizing or treating ornamental garden flowers with pesticides, or putting them on your outdoor marijuana plants?

Council comments included:

Baker: I would like to see a reduced impact on staff regarding the enforcement procedures related to this new ordinance. I don't want to send our City Manager around town smelling houses due to suspicious complaints being filed. Whatever the City includes as enforcement mechanisms, there needs to be clear measurement tools used to define the problems.

Miller: We need to find a balance between too little and too much regulation.

West: Having a clear outline defining who does what (regarding enforcement) should be defined in detail.

City Manager Berman explained the complications of having multiple, hybrid roles and assignments for the Building Inspector, and illustrated this by comparing the traditional role of examining plans and verifying construction for compliance as opposed to inspecting Vacation Rental property site and floor plans only. He added that this may have contributed to the reason the Inspector submitted a letter of resignation this week. The Council asked Berman to consult with the City of Blue Lake to find out how they intend to have their Cannabis Ordinance enforced.

Rotwein: In-city properties are too small to allow grows. Government shouldn't be over-reaching, but having a permit process provides assurances for everyone. Grows on small lots will have impacts on neighboring properties. Blue Lake defines nuisances and Trinidad should do the same.

West: Pointed out there could be excessive water consumption findings added to the draft. Also, 1) open to the exception of medical cannabis deliveries from businesses outside the city (Miller, Baker, and Rotwein agreed) and 2) Smoking of marijuana should be prohibited in public places.

Miller: Agreed to work with the City Manager to edit and produce the final draft for October 11.

No decision was made. By Consensus, Council agreed to target October 11 for the first reading.

4. Update and Discussion regarding Memorial Light House

City Manager Berman introduced Civic Club President Dana Hope. Hope thanked the Council for the opportunity to update the Council. A meeting was held on September 20 that invited many stakeholders (Yurok, Tsurai, Coastal Commission, City Staff, etc.) to gather input. The Civic Club intends to have a plan submitted to the City Planner within 2-3 weeks.

No Council or public comments were received.

Discussion/Update item only. No decision was made. Moved to Discussion item #3, Planning Commission appointments...

XI. FUTURE AGENDA ITEMS

- Revisit trail cutting limitations (may be handled as a recommendation item by the Trinidad Trails Committee)
- Earl Hallmark Deed with Rancheria (Baker asked CM to get a legal opinion on difference between sovereignty and trust status).
- Alder on Van Wycke
- End-of-Year 2017 Financials
- Capital Improvement Plan
- West Slideshow

XII. ADJOURNMENT

Meeting ended at 8:15 pm.

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Dwight Miller
Mayor